

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1196 be amended to read as follows:

- 1 Page 62, between lines 25 and 26, begin a new paragraph and insert:
- 2 "SECTION 54. IC 6-9-2.5-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 1. This chapter
- 4 applies to a county having a population of more than one hundred ~~sixty~~
- 5 **seventy** thousand ~~(160,000)~~ **(170,000)** but less than ~~two one~~ hundred
- 6 **eighty** thousand ~~(200,000)~~ **(180,000)**.
- 7 SECTION 55. IC 6-9-2.5-6 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 6. (a) The county
- 9 council may levy tax on every person engaged in the business of
- 10 renting or furnishing, for periods of less than thirty (30) days, any room
- 11 or rooms, lodgings, or accommodations in any commercial hotel,
- 12 motel, inn, tourist camp, or tourist cabin located in a county described
- 13 in section 1 of this chapter. Such tax shall not exceed the rate of ~~five~~
- 14 **six** percent ~~(5%)~~ **(6%)** on the gross income derived from lodging
- 15 income only and shall be in addition to the state gross retail tax
- 16 imposed on such persons by IC 6-2.5.
- 17 (b) The county fiscal body may adopt an ordinance to require that
- 18 the tax be reported on forms approved by the county treasurer and that
- 19 the tax shall be paid monthly to the county treasurer. If such an
- 20 ordinance is adopted, the tax shall be paid to the county treasurer not
- 21 more than twenty (20) days after the end of the month the tax is
- 22 collected. If such an ordinance is not adopted, the tax shall be imposed,
- 23 paid, and collected in exactly the same manner as the state gross retail
- 24 tax is imposed, paid, and collected pursuant to IC 6-2.5.

(c) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration shall be applicable to the imposition and administration of the tax imposed by this section except to the extent such provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. Specifically and not in limitation of the foregoing sentence, the terms "person" and "gross income" shall have the same meaning in this section as they have in IC 6-2.5. If the tax is paid to the department of state revenue, the returns to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule or regulation, determine.

(d) If the tax is paid to the department of state revenue, the amounts received from such tax shall be paid quarterly by the treasurer of state to the county treasurer upon warrants issued by the auditor of state.

(e) The tax imposed under subsection (a) does not apply to the renting or furnishing of rooms, lodgings, or accommodations to a person for a period of thirty (30) days or more.

SECTION 56. IC 6-9-2.5-7, AS AMENDED BY P.L.208-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 7. (a) The county treasurer shall establish a convention and visitor promotion fund.

(b) The county treasurer shall deposit the following in the convention and visitor promotion fund:

(1) Before January 1, 2000:

(A) All of the money received under section 6 of this chapter, if the rate set under section 6 of this chapter is not greater than two percent (2%).

(B) The amount of money received under section 6 of this chapter that is generated by a two percent (2%) rate, if the rate set under section 6 of this chapter is at least two percent (2%).

(2) After December 31, 1999, and before January 1, 2003, the amount of money received under section 6 of this chapter that is generated by a two percent (2%) rate.

(3) After December 31, 2002, the amount of money received under section 6 of this chapter that is generated by a two and one-half percent (2.5%) rate.

(c) Money in this fund shall be expended only as provided in this chapter.

(d) The commission may transfer money in the convention and visitor promotion fund to any Indiana nonprofit corporation for the purpose of promotion and encouragement in the county of conventions, trade shows, visitors, or special events. The commission may transfer money under this section only after approving the transfer. Transfers shall be made quarterly or less frequently under this section.

1 SECTION 57. IC 6-9-2.5-7.5, AS AMENDED BY P.L.208-1999,
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JANUARY 1, 2003]: Sec. 7.5. (a) The county treasurer shall establish
 4 a tourism capital improvement fund.

5 (b) The county treasurer shall deposit money in the tourism capital
 6 improvement fund as follows:

7 (1) Before January 1, 2000, if the rate set under section 6 of this
 8 chapter is greater than two percent (2%), the county treasurer
 9 shall deposit in the tourism capital improvement fund an amount
 10 equal to the money received under section 6 of this chapter minus
 11 the amount generated by a two percent (2%) rate.

12 (2) After December 31, 1999, and before January 1, ~~2006~~, **2003**,
 13 the county treasurer shall deposit in the tourism capital
 14 improvement fund the amount of money received under section
 15 6 of this chapter that is generated by a one percent (1%) rate.

16 (3) **After December 31, 2002, and before January 1, 2006, the**
 17 **county treasurer shall deposit in the tourism capital**
 18 **improvement fund the amount of money received under**
 19 **section 6 of this chapter that is generated by a one and one-**
 20 **half percent (1.5%) rate.**

21 (4) After December 31, 2005, the county treasurer shall deposit
 22 in the tourism capital improvement fund the amount of money
 23 received under section 6 of this chapter that is generated by a
 24 three **and one-half percent (3.5%)** ~~(3%)~~ rate.

25 (c) The commission may transfer money in the tourism capital
 26 improvement fund to:

27 (1) the county government, a city government, or a separate body
 28 corporate and politic in a county described in section 1 of this
 29 chapter; or

30 (2) any Indiana nonprofit corporation;

31 for the purpose of making capital improvements in the county that
 32 promote conventions, tourism, or recreation. The commission may
 33 transfer money under this section only after approving the transfer.
 34 Transfers shall be made quarterly or less frequently under this
 35 section."

36 Renumber all SECTIONS consecutively.

(Reference is to HB 1196 as printed January 31, 2002.)

Representative Hasler